



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 8**

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Ref: 8EPR-N

Daniel J. Jiron, Regional Forester
c/o Mark Lambert
San Juan National Forest
15 Burnett Court
Durango, CO 81301

John Mehlhoff, Acting Colorado State Director
Bureau of Land Management
c/o Gina Jones
Tres Rios Field Office
2465 S. Townsend Avenue
Montrose, CO 81401

Re: Final Environmental Impact Statement for
the San Juan National Forest and Tres Rios
Field Office Land and Resource
Management Plan, CEQ # 20130275

Dear Messrs. Jiron and Mehlhoff:

The U.S. Environmental Protection Agency Region 8 (EPA) has reviewed the September 2013 Final Environmental Impact Statement (EIS) prepared by the U.S. Department of Agriculture Forest Service (USFS) and the U.S. Department of Interior Bureau of Land Management (BLM) for the San Juan National Forest and Tres Rios Field Office Land and Resource Management Plan (LRMP). Our comments are provided for your consideration pursuant to our responsibilities and authority under Section 102(2)(C) of the National Environmental Policy Act (NEPA), 42 U.S.C. Section 4332(2)(C), and Section 309 of the Clean Air Act, 42 U.S.C. Section 7609.

Background

The planning area encompasses approximately 1,867,800 acres of the San Juan National Forest administered by the USFS and approximately 504,400 surface acres administered by the BLM Tres Rios Field Office. We understand that this Final EIS will inform the following three decisions: (1) San Juan National Forest LRMP; (2) San Juan National Forest Oil and Gas Leasing Availability; and (3) Tres Rios Field Office LRMP.

The EPA provided comments on the Draft EIS in a June 17, 2008 letter and on the Supplemental Draft EIS in December 2, 2011 letter. The Draft EIS analyzed four alternatives providing a mix of multiple use activities with emphases ranging from preserving undeveloped lands to producing the highest amounts

of commodity goods and services. The EPA's primary concerns with the Draft EIS and Supplemental Draft EIS were related to potential impacts to water resources and air quality from oil and gas development. These concerns have largely been addressed in the Final EIS through expanded discussion and/or revisions to Chapter 3, Affected Environment and Environmental Consequences, and the LRMP. Supplemental information also is provided in Appendix S, Response to Comments. With the expanded discussion and additional information, the Final EIS provides more thorough disclosure and mitigation of potential impacts to air quality and water resources.

The Final EIS identifies Alternative B as the Preferred Alternative. Of the 2,686,825 combined USFS and BLM federal mineral acres in the planning area, Alternative B makes 2,040,798 acres administratively available for oil and gas leasing, with 1,097,527 acres subject to No Surface Occupancy (NSO) lease stipulations, 1,133,319 acres subject to Controlled Surface Use (CSU) lease stipulations, 1,032,230 acres subject to Timing Limitations, and 274,299 acres subject to standard lease terms.

We greatly appreciate that the Final EIS contains improved analyses and mitigation measures that will substantially reduce the potential for impacts to air and water quality from future oil and gas development under the Preferred Alternative. For example, we fully support the addition of numerous oil and gas NSO and CSU lease stipulations to protect water resources including public water supply, major river corridors, perennial streams, water bodies, riparian areas, fens, intermittent/ephemeral streams, groundwater resources, reservoirs and lakes. We similarly support the standards and guidelines adopted in the LRMP to protect air quality, including requirements for drill engines to meet specified emissions rates for oxides of nitrogen, well completions to utilize green completion technology, control efficiencies for volatile organic compounds and hazardous air pollutants, dust suppression, and collocation/centralization of development areas and liquid gathering systems to reduce total emissions. Our few remaining suggestions concerning protection of water resources and air quality are provided in the following sections.

Water Resources

The EPA appreciates the excellent NSO lease stipulations included in the Preferred Alternative to protect Municipal Watersheds and Public Water Supply and major river corridors. For future projects completed in the San Juan National Forest and Tres Rios Field Office under this Final LRMP, we suggest the USFS and the BLM consider expanding the NSO lease stipulation for perennial streams, water bodies, riparian areas and fens from a 325 foot buffer to a 500 foot buffer and adding a minimum 750 foot NSO lease stipulation for Clean Water Act Section 303(d)-listed impaired waters in the planning area. We believe that a valuable environmental benefit would be gained by an increased NSO buffer. In addition to reduced sedimentation, a setback of 500 feet for perennial streams, water bodies, riparian areas and fens (or 750 feet for impaired stream segments) provides a greater travel time for any spills or leaks of contaminants at the well site before reaching surface water, thus allowing more time for clean-up of a potential spill.

We also suggest that the USFS and the BLM consider an expanded NSO lease stipulation for intermittent and ephemeral streams from a 50 foot buffer to a 100 foot buffer and a revised NSO lease

stipulation for lands with slopes greater than 35 percent to apply to lands with slopes greater than 30% and to include a 100 foot NSO buffer. These revisions would further protect water quality by (1) protecting riparian areas, wetlands and aquatic ecosystems from sedimentation and (2) maintaining proper functioning condition of these systems.

Air Quality

Based on agreement among the Air Quality Impact Analysis Stakeholder Group members, we understand that near-field modeling will be completed at the project level and ozone modeling will be completed when 210 wells have been permitted in the Gothic Shale Gas Play (GSGP) or at the project level, whichever occurs first. We appreciate the USFS's and the BLM's commitments to require additional modeling in the future. As we commented on the Supplemental Draft EIS, we believe it would be beneficial to provide a summary of well development in the GSGP area to date along with a prediction, based on the rate of existing development, about when the 210 well threshold may be reached so that stakeholders, operators and the public can anticipate when additional detailed air quality impact analyses will be required. We also recommend identifying the near-field and ozone modeling commitments in the Lease Notice so that operators are aware of these important requirements.

Although our December 2, 2011 recommendations on the Supplemental Draft EIS were not addressed regarding Air Quality Technical Support Document (AQTSD) revisions to clarify assumptions used in the emissions inventory, we realize that the AQTSD was finalized in October 2010, making subsequent revisions difficult. More importantly, we appreciate that numerous mitigation measures were incorporated into the Final LRMP standards and guidelines to protect air quality, thereby ensuring that the emissions inventory assumptions will be implemented.

We appreciate the opportunity to review this Final EIS. If we may provide further explanation of our comments, please contact me at 303-312-6925, or your staff may contact Amy Platt at 303-312-6449 or platt.amy@epa.gov.

Sincerely,



Suzanne J. Bohan

Director, NEPA Compliance and Review Program
Office of Ecosystems Protection and Remediation

